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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RAJGURU, UMAKANT K

ART UNIT PAPER NUMBER

1711

DATE MAILED: 09/12/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-17 is/are pending in the application.
- Of the above claim(s) 5-8, 11, 13, 14, 16 and 17 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-4, 9, 10, 12 and 15 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 283
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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1. Claims 1-17 are under examination.

2. Claims 5-8, 11, 13, 14, 16 and 17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-8, 11, 13, 14, 16 and 17 have not been further treated on the merits.

*withdrawn
Feb 21, 2003*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 12 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 12 and 15 depend respectively from claims 11 and 14 which are objected for being multiple dependent and also depending from multiple dependent claims.

Claims 12 and 15 are therefore indefinite for not setting forth what is being composed by scope of these claims.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2., 4, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (USP 6184312) in view of Fuhr et al (USP 5658974).

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Yamamoto describes a resin composition comprising (A) an aromatic polycarbonate or an aromatic epoxy and (B) an organosiloxane containing phenyl or alkyl radicals (abstract; col. 2, line 57 to col. 3, line 6). Organosiloxane is used in the composition at 0.1 to 10 parts by wt (col. 3, lines 4-6). Organosiloxanes in col. 6 read on those that are instantly claimed. Weight average molecular weight of these organosiloxanes is 410 to 2000 (col. 7, lines 40-44). Resins besides polycarbonate, that are also useful, are given in col. 3, lines 23-28.

Yamamoto does not mention (claimed) phosphoric ester ~~(B)~~ (component (b) of instant claim 1).

Fuhr discloses flameproofed polycarbonate molding compounds comprising (A) polycarbonate, (B) copolymers, (C) graft-copolymer, (D) silicone resin and (E) phosphorous compounds.

It would therefore, have obvious to add to the composition of Yamamoto, the phosphorous compounds of Fuhr to obtain a product which can self-extinguish as well as not produce dripping.

7. Claim (3) is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (USP 6184312) in view of Fuhr et al (USP 5658974) as applied to claim 1 above, and further in view of JP 58076447 (Abstract in English).

Yamamoto in combination with Fuhr fails to disclose phosphoric esters of instant claim 3.

JP '447 discloses a composition comprising hydroquinone terephthalate disphosphate, bisphenol A tetracresyl phosphate etc.

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It would therefore have obvious to use phosphate/s of JP'447 as alternate moiety in the composition of Yamamoto to enhance flame retardance and to have substitute raw material/s in case of non-availability, short supply/or high price/s.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (USP 6184312) in view of Fuhr et al (USP 5658974) as applied to claims 1 and 11 above, and further in view of Wittman et al (USP 5030675).

Combination of Yamamoto and Fuhr does not disclose polytetrafluoroethylene of instant claim 12.

Wittman discloses flame resistant molding compounds containing polycarbonate and fluorinated polyolefins, one of which is polytetrafluoroethylene (col. 7, line 60).

It would have been obvious to add the polytetrafluoroethylene of Wittman to the composition of Yamamoto to import mechanical strength and dimensional stability.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al (USP 6184312) in view of Fuhr et al (USP 5,655,974) as applied to claims 1 and 14 above, and further in view of Nishihara et al (USP 6,093,760).

Yamamoto in view of Fuhr fails to disclose epoxy-based stabilizer of instant claim 15.

Nishihara discloses flame retardant composition comprising epoxy compounds (col. 22, lines 5-11, 24-47).

It would have been obvious to add the epoxy compounds of Nishihara to the composition of Yamamoto in order to capture any halogen vapors.

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10. Any inquiry concerning this communication from the examiner should be directed to U. K. Rajguru whose telephone number is 703-308-3224. The examiner can generally be reached on Monday-Friday 9:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Seidleck can be reached on 703-308-2462. The fax phone numbers for the organization where this application is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 703-308-0661.



U.K Rajguru/dh
September 9, 2002



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700